GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commercial Taxes and Transport Departments – Surprise Check conducted over the Boarder Check Post of Road Transport Authority and Commercial Tax Department, Near Cattle Farm, Palamaner, Chittoor District on 27-07-2014 – Allegations of Corruption – Common disciplinary proceedings initiated – Inquiry under Rule 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 - Article of Charges framed against Sri Gumma Devendra Murthy, Transport Constable at Boarder Check Post - Transport Department - Orders – Issued.

REVENUE (VIGILANCE – II) DEPARTMENT

G.O.Rt.No.505 Dated :28-04-2016
Read :

G.O.Ms.No.175, Revenue (Vigilance – II) Department, Dated:28-04-2016.

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O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference read above, it is considered necessary to hold an enquiry against Sri Gumma Devendra Murthy, Transport Constable (Suspected Officer-2) Transport Department, Boarder Check Post, Palamaner, Chittoor District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Gumma Devendra Murthy, Transport Constable (Suspected Officer-2) Transport Department, Boarder Check Post, Palamaner, Chittoor District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Gumma Devendra Murthy, Transport Constable (Suspected Officer-2) Transport Department, Boarder Check Post, Palamaner, Chittoor District is further informed that if he does not submit his written statement of defense on or before the date specified in para 2 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules the Inquiring Authority may hold the inquiry against him ex-parte.

6. Attention of Sri Gumma Devendra Murthy, Transport Constable (Suspected Officer-2) Transport Department, Boarder Check Post, Palamaner, Chittoor District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to

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his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA RADESH)

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Gumma Devendra Murthy, Transport Constable (Suspected Officer-2) Transport Department, Boarder Check Post, Palamaner, Chittoor District (w.e, Annexures I to IV)
through the TR&B (Vigilance) Department, Andhra Pradesh Secretariat, Hyderabad.
(with a request to serve the order on the individual and send the served copy with dated signature to Government)
The Transport, Roads & Building(Vigilance) Department,
Andhra Pradesh, Hyderabad.

Copy to

1.The Commissioner, Transport Department, Andhra Pradesh, Hyderabad.
2.The Secretary to Vigilance Commissioner,
Andhra Pradesh Vigilance Commission, Hyderabad.
3.The Director General, Anti Corruption Bureau,
Andhra Pradesh, Hyderabad.
SF / SC.

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SECTION OFFICER

ANNEXURE - I

ARTICLES OF CHARGES FRAMED AGAINST SRI GUMMA DEVENDRA MURTHY, 54 YEARS, TRANSPORT CONSTABLE, BOARDER CHECK POST, RTA DEPARTMENT, PALAMANER, CHITTOOR DISTRICT.

That Sri Gumma Devendra Murthy having joined Government service as Transport Constable on 19-09-1990 in Road Transport Authority Department and posted to DTC Office, Chittoor. He worked in the above capacities at various places in Chittoor District. He worked as Transport Constable at Boarder Check Post, Road Transport Authority, Palamaner, Chittoor District from 01-07-2014 to 27-07-2014. While he was working as Transport Constable at Boarder Check Post, Palamaner, he has committed grave misconduct in as much as that he connived with his superior officers and is in the habit of collecting bribe amounts from the truck/lorry operators passing through the check post and the same is evident by voluntary offerings obtained in the counter of boarder Check Post, Road Transport Authority department during the time of surprise check to a tune of Rs.23,230/- and violated the provisions and thereby contravened Rule 3 (1) (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Thus, Gumma Devendra Murthy by his above mentioned acts has exhibited lack of integrity, lack of devotion to duty, conduct unbecoming of a Government servant and thereby contravened Rule 3(1)(2) of Andhra Pradesh Civil Services (Conduct) Rules,1964.

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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SECTION OFFICER

ANNEXURE —II

STATEMENT OF IMPUTATIONS OF MISCONDUCT AND MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI GUMMA DEVENDRA MURTHY, 54 YEARS, TRANSPORT CONSTABLE, BOARDER CHECK POST, RTA DEPARTMENT, PALAMANER, CHITTOOR DISTRICT.

Sri Gumma Devendra Murthy is a native of Greamspet, Chittoor Town and District. His date of birth is 02-02-1960. He entered into Government service as Transport Constable at DTC, Chittoor on 19-09-1990 and posted to Boarder Check Post, Road Transport Authority, Palamaner, Chittoor District on 01-07-2014. He worked in the above capacities at various places in Chittoor District. He worked as Transport Constable, Boarder Check Post, Road Transport Authority Department, Palamaner, Chittoor District from 01-07-2014 to 27-07-2014. He was drawing a basic pay of Rs.14,860/- in the scale of pay Rs.13,660/- - Rs.38,570/- as on 27-07-2014 . His superannuation is on 28-02-2020. He is here-inafter referred to as Government Servant.

FACTS & EVIDENCE:

Basing on the credible information that the officials working in the Boarder Check Post, Road Transport Authority Department, Palamaner, Chittoor District were indulging in corrupt and illegal practices and were collecting illegal gratifications/bribes from the drivers/cleaners of the vehicles passing through the check post by allowing them to pass through the check post without check for the irregularities being committed by them, a surprise check was conducted on Boarder Check Post, Road Transport Authority Department, Palamenr, Chittoor District on 27-07-2014 from 00:10 Hrs to 04:00 Hrs in the presence of official independent witnesses.

During the surprise check, the Government Servant Sri Gumma Devendra Murthy, being the Transport Constable on duty at the Boarder Check Post, Road Transport Authority Department, Palamaner, Chittoor District had to perform his legitimate duties of verification of documents of incoming Goods Vehicles, to collect taxes/penalties & user charges etc., whereas he was found using his official position for his pecuniary gains and causing loss to the Government Revenue. He with the connivance of his staff is in the habit of collecting bribe amounts from the truck/lorry operators passing through the check post and the same is evident by voluntary offerings obtained in the counter of boarder Check Post, Road Transport Authority department during the time of surprise check to a tune of Rs.23,230/-. The said amount of Rs 23,230/- was seized in the counter of Border Check Post, Road Transport Authority check post.

The facts and material gathered so revealed that the Government Servant Sri. Gumma Devendra Murthy, being the Transport Constable on duty at the Boarder Check Post, Road Transport Authority Department, Palamaner, Chittoor District has committed the grave misconduct.

Thus, the Government Servant Sri Gumma Deveandra Murthy by his above mentioned act has exhibited lack of integrity, lack of devotion to duty and conduct, unbecoming of Government Servant

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and thereby violated Rule 3(1) & (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

The Government Servant has therefore rendered himself liable for regular Departmental Action.

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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ANNEXURE —III

LIST OF WITNESSES:-

1. Kullareddygari Somasekhara Reddy, S/o. Late. K.Venkata Reddy, Age-50, Assistant B.C. Welfare Officer, Chittoor, R/O. D.No. 6/539, Gudiyatham Road, Palamaner, Chittoor district. Cell. No. 9849904511.
2. Velamjery Sai Thiruvengalam, S/o. Velamjery Prabhakar, Age-33, Junior Assistant, District B.C.Welfare Office, Chittoor, R/o. D.No. 4-567/A2, Durganagar colony, Chittoor. Cell No. 9491844914.
3. Nallapu Muni Venkatappa, S/o. Late. N.Chinnaiah, Age-54, Assistant B.C.Welfare Officer, Tirupati, R/o. D.No. 9-128/10, Vijayapuram, Satyanarayanapuram, Tirupati. Cell No. 9849904514.
4. Namburi Raja Gopal Naidu, S/o. Venkata Ramana, Age-54, Hostel Welfare Officer, Govt. B.C. Boys Hostel, Chenna Reddy colony, Tirupati, R/o. Flat No. 208, Dreams Avenue, Old Renigunta road, Tirupati. Cell No. 9440094623.
5. Md. Jahangir, S/o. Mehaboob, Age-24, Driver of Lorry bearing No. AP26 TB 1913, R/o. Marripadu village, Sangam mandal, Nellore district. Cell. No. 9502163358.
6. Syed Nizamuddin, S/o. Md. Nayeem, Age-26, Driver of lorry bearing no. ABG 2226, R/o. V.Kota mandal, Chittoor district. Cell. No. 8978280841.
7. M.V.Ramesh, S/o. Venktata Muneppa, Age-27, Owner cum Driver of lorry bearing no. AP03 TA 3268, R/o. V.Kota, Chittoor district. Cell No. 9666737979.
8. Polisetty Balaji Shiva Kumar, S/o. Govindarajulu, Age-27, Driver of lorry bearing no. AP37W 7521, R/o. D.No. 20E-4-5, Janapareddyvari Veedhi, Kothapeta, Eluru, W.G. district. Cell.No. 9494606033.
9. Shaik Ghayaz, S/o. Fayaz, Age-24, Driver of lorry bearing no. AP26TC 7477, R/o. D.No. 28/1802-A, Venkateswara Puram, Nellore district. Cell.No. 8143885143.
10. Sri A.Sankar Reddy, Dy.Supdt. of Police, Anti Corruption Bureau, Tirupati Range, Tirupati.
11. Sri K. Chandra Sekhar, Inspector of Police, Anti Corruption Bureau, Tirupati Range, Tirupati.
12. D.Partha Sarathi Reddy, Inspector of Police, Anti Corruption Bureau, Kadapa, Tirupati Range.
13. P. Prasad Rao, Inspector of Police, Anti Corruption Bureau, Kurnool Range, Kurnool.

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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ANNEXURE —IV

LIST OF RECORDS/DOCUMENTS: -

1) Original Surprise Check proceedings-I drafted on 27-07-2014 from 00:10 Hrs to 04:00 Hrs at the Boarder Check Post, Road Transport Authority Department, Palamaner, Chittoor District.

2) Personal Cash declaration Register of Road Transport Authority Department of Boarder Check Post, Palamaner, Chittoor District.

3) Statement of Md. Jahangir, S/o. Mehaboob, Age-24, Driver of Lorry bearing No. AP26 TB 1913, R/o. Marripadu village, Sangam mandal, Nellore district.

4) Statement of Syed Nizamuddin, S/o. Md. Nayeem, Age-26, Driver of lorry bearing no. ABG 2226, R/o. V.Kota mandal, Chittoor district. Cell. No. 8978280841.

5) Statement of M.V.Ramesh, S/o. Venktata Muneppa, Age-27, Owner cum Driver of lorry bearing no. AP03 TA 3268, R/o. V.Kota, Chittoor district. Cell No. 9666737979.

6) Statement of Polisetty Balaji Shiva Kumar, S/o. Govindarajulu, Age-27, Driver of lorry bearing no. AP37W 7521, R/o. D.No. 20E-4-5, Janapareddyvari Veedhi, Kothapeta, Eluru, W.G. district. Cell.No. 9494606033.

7) Statement of Shaik Ghayaz, S/o. Fayaz, Age-24, Driver of lorry bearing no. AP26TC 7477, R/o. D.No. 28/1802-A, Venkateswara Puram, Nellore district. Cell.No. 8143885143.

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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